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9850.A06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BANERJEE et al.

Group Art Unit: 1614

Appl. No. : 09/779,447

Examiner: UNKNOWN

Filed : February 9, 2001

For : METHODS FOR INHIBITING ANGIOGENESIS

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants hereby bring the following information to the attention of the Examiner in charge of the above-identified application, which information is cited and discussed in the specification:

BANERJEE, "Angiogenesis: Characterization of a Cellular Model", Puerto Rico Hlth. Sci. J., 17:327-333 (publication date unknown)

Applicants note that the earliest publication date of the above document is not known. In this regard, although Volume 17(4) of the Puerto Rico Health Science Journal (hereinafter "Vol. 17(4)") has a nominal publication date of December 1998, Applicants have been advised that Vol. 17(4) was not published until after December 1998. In this regard, the attached letter from the Puerto Rico Health Sciences Journal indicates that Vol. 17(4) was received from the printers by the Office of the

Puerto Rico Health Sciences Journal on January 29, 1999. The attached letter from the Puerto Rico Health Sciences Journal also indicates that Vol. 17(4) was mailed to subscribers on January 29, 1999. However, to the best of Applicants' understanding, the earliest receipt of Vol. 17(4) is February 12, 1999 as shown by the attached "Check-in Report" from the University of Puerto Rico Medical Library. Additionally, Applicants note that Vol. 17(4) did not become available on PubMed until February 24, 1999 as shown by the attached printout from www.ncbi.nlm.nih.

Still further, the following information which is cited and discussed in the specification is brought to the attention of the Examiner:

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Applicants also bring to the attention of the Examiner the following documents:

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Boehringer Mannheim Corporation, Tunicamycin Data Sheet[1]

U.S. Patent 5,629,340;

U.S. Patent 5,807,731;

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[1] Applicants note that this document is not dated. Applicants request that for the purpose of performing an action on the merits, the Examiner consider that this document to have a date prior to the effective filing date of the Applicants' application. If this document is utilized in a rejection, Applicants will try to obtain the date of the document, if necessary.

U.S. Patent 5,932,611;

U.S. Patent 5,981,471;

U.S. Patent 6,051,230;

U.S. Patent 6,121,236; and

U.S. Patent 6,153,603.

Copies of the above-noted documents are enclosed together with a duly completed Form PTO-1449. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form PTO-1449. Applicant respectfully requests that the Examiner include a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

Applicants note that an Office Action on the Merits has not issued in the instant application. However, if an Office Action on the Merits has issued, and is crossing this statement in the mail, the undersigned hereby authorizes the Commissioner to charge any fee necessary for consideration of this statement, including any payment under 37 C.F.R. 1.17(p), to be charged to Applicants' Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed telephone number.

Respectfully submitted,
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